

DOCKET NO: 243004US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
ATSUHISA SAITO, ET AL. : EXAMINER: TO, BAOTRAN N.  
SERIAL NO: 10/665,484 :  
FILED: SEPTEMBER 22, 2003 : GROUP ART UNIT: 2135  
FOR: IMAGE FORMING DEVICE :  
CONTROLLING OPERATION :  
ACCORDING TO DOCUMENT :  
SECURITY POLICY :

PROVISIONAL ELECTION OF SPECIES

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election of Species Requirement dated April 2, 2007, Applicants provisionally elect with traverse Species I drawn to Fig. 30, and list Claims 1-33, 59-62, 64-65, and 67-68 as readable thereon.

Applicants traverse the outstanding requirement as the outstanding requirement has not established that an undue burden would be required if the requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present application no undue burden has been established if each of the claims were examined together.

Therefore, Applicants respectfully request that the requirement to elect a single disclosed species be reconsidered and withdrawn,<sup>1</sup> and that a full examination on the merits of Claims 1-69 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Andrew T. Harry  
Registration No. 56,959

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

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<sup>1</sup> See MPEP 821.01.